

State Criminal Alien Assistance Program

FY 2004 Guidelines

Registration Deadline: March 8, 2004

Submission Deadline: March 15, 2004

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Program Overview

Introduction

This document presents the fiscal year (FY) 2004 State Criminal Alien Assistance Program (SCAAP) Guidelines. Changes instituted in FY 2003 regarding Qualifying Charges and Convictions and the replacement of the 72-hour rule with “at least 4 consecutive days” remain in effect and are fully applicable to the FY 2004 application process.

A number of new sections have been added to the Guidelines to ensure certain topics are fully explained. Additionally, important clarifications dealing with inmate citizenship and country codes have been developed, in keeping with the requirements of the Department of Justice’s (DOJ’s) Office of the Inspector General and the Office of Justice Programs’ (OJP’s) Office of General Counsel. Please pay very close attention to these sections. However, a complete review of the Guidelines is essential to ensure that all elements are understood prior to submission of an application. New or modified sections in the FY 2004 Guidelines include:

- Use of Payments by Jurisdictions.
- Inmate Citizenship and Country of Birth.
- ICE Country of Birth Codes.
- Inmate Data File Overwrite and Deletion.
- Per Diem Costs.
- Total All Inmate Days.
- FY 2004 Payment Formula (proposed).
- Processing Your SCAAP Payment.
- DUNS Number Requirement.
- Other OJP Requirements.

In FY 2004, payment amounts are contingent on the availability and amount of FY 2004 funding for the State Criminal Alien Assistance Program.

FY 2004 Reporting Period

The FY 2004 SCAAP reporting period runs from 12:00 a.m. (midnight), July 1, 2002 through 11:59 p.m., June 30, 2003. Applicant jurisdictions will be required to provide correctional officer staffing and salary costs, the total of all inmate days, and details about undocumented criminal aliens housed in its facilities for this 12-month reporting period.

FY 2004 Registration and Application Deadlines

Applications will be accepted through OJP’s online Grants Management System (GMS) from Monday, February 2, 2004 to 11:45 p.m. (e.t.), Monday, March 15, 2004. Applicants must begin the online SCAAP registration process prior to 11:45 p.m. (e.t.) Monday, March 8, 2004.

SCAAP Legislative Authority

SCAAP is governed by Section 242 of the Immigration and Nationality Act, 8 U.S.C. § 1231(i), as amended, and Title II, Subtitle C, Section 20301, Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322. In general terms, if a chief executive officer of a state or a political subdivision exercises authority over the incarceration of undocumented criminal aliens and submits a written request to the U.S. Attorney General, the Attorney General may provide compensation to that jurisdiction for those incarceration costs. SCAAP is subject to additional terms and conditions of yearly congressional appropriations.

SCAAP Program Scope

The Bureau of Justice Assistance (BJA), a component of the Office of Justice Programs, administers SCAAP, in conjunction with the Bureau of Immigration and Customs Enforcement (ICE), Department of Homeland Security (DHS). SCAAP provides federal payments to states and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens who have at least one felony or two misdemeanor convictions for violations of state or local law, and who are incarcerated for at least 4 consecutive days during the reporting period. The application and payment process is managed through the Internet, using OJP's GMS.

Applicant Eligibility

Eligible Applicants

States and local units of general government that have authority over correctional facilities that incarcerate or detain undocumented criminal aliens for a minimum of 4 consecutive days are eligible to apply for SCAAP funds. States and local units of general government include the 50 state governments, the District of Columbia, Guam, Puerto Rico, the U.S. Virgin Islands, and the more than 3,000 counties and cities with correctional facilities. Jurisdictions applying for SCAAP funds must provide all required information on undocumented criminal alien inmates for the prescribed reporting period, the total reporting period salary information for their full- and part-time permanent and contracted correctional officers, and the total number of all inmate days.

Authorized Officials

Legislation authorizing the program requires that SCAAP payments go directly to eligible states and localities. Therefore, BJA will only deal with authorized jurisdiction employees, and these employees must be listed as either the Authorized Representative or Alternate Contact in the GMS User Profile. The chief executive officer (CEO) of an eligible jurisdiction may apply directly or delegate authority to another jurisdiction official. The CEO is generally considered the highest ranking elected or appointed official of a unit of government. Examples of government CEOs include: State Governor, City Mayor or City Manager, Chairperson of the Town Council or Town Manager, President of the County Commissioners or County Administrator, Parish Sheriff in Louisiana, and County Judge in Texas.

Regional Jails and Special Districts

Regional jails and regional correctional facility authorities or boards do not qualify as political subdivisions of a state for purposes of SCAAP, and therefore they are not eligible to directly apply for or to directly receive SCAAP funds. Each unit of government that houses inmates at a regional facility must apply independently for SCAAP funds, based on its own costs of housing its undocumented aliens in the regional facility.

Regional facilities may not submit SCAAP applications on behalf of individual jurisdictions, nor may a regional facility submit one application for all member jurisdictions, using one jurisdiction's name as the recipient. BJA will verify the authenticity of applications submitted by jurisdictions associated with regional facilities.

Multijurisdictional Issues

Undocumented criminal aliens housed in jurisdiction "A" on behalf of jurisdiction "B" must be excluded from jurisdiction A's application, regardless of whether it received any reimbursement for incarceration costs from jurisdiction B. Only jurisdiction B may report those inmates.

Unless otherwise covered by a cost reimbursement agreement, inmates who are ready for release once qualifying charges or convictions are concluded, and who are temporarily held in the applicant facility on

the basis of outstanding warrants or detainers from other jurisdictions, including federal law enforcement agencies, may be reported in the SCAAP application. The applicant jurisdiction may claim the total number of days the inmate was in custody, including the days the inmate was held on the detainers or outstanding warrants.

Detention or incarceration days attributable to otherwise qualifying undocumented aliens while being held on federal charges, convictions, or detainers **and** covered by cost reimbursement agreements (e.g., agreements with DHS, U.S. Marshals Service, etc.), are not eligible for inclusion in a SCAAP application.

Juveniles who are adjudicated delinquent, regardless of the charges or length of custody, are not eligible for inclusion with the inmate records. Only those juvenile offenders who are convicted as adults and who meet the qualifying SCAAP criteria may be included in the inmate records.

Use of Outside Consultants

An applicant may utilize whatever assistance it deems appropriate to gather, compile, or format needed information for the completion of the SCAAP online application; however, it may not delegate to private, nonpublic entities the responsibility for establishing user accounts or completing the online application. By entering into the SCAAP certifications, the applicant is committing the potential use of general revenues to reimburse the federal government for any overpayment. Accordingly, the user authorized to submit an application must be empowered to commit the general revenue funds of a state or political subdivision of a state. This ability to commit tax dollars is inherently governmental and cannot be delegated outside the government. Any applying jurisdiction violating these requirements may be subject to formal action by DOJ, including nullification of any related reimbursement and eligibility for future SCAAP applications.

GMS Application Process

The SCAAP Catalog of Federal Domestic Assistance (CFDA) number is 16.606.

FY 2004 Program Deadlines

Applications will be accepted through OJP's online Grants Management System (<https://grants.ojp.usdoj.gov>) from Monday, February 2, 2004 to 11:45 p.m. (e.t), Monday, March 15, 2004 (6 weeks). Applicants must begin the online SCAAP registration process prior to 11:45 p.m. (e.t.) Monday, March 8, 2004.

FY 2004 Registration Deadline: March 8, 2004

Applicants must perform the following steps by 11:45 p.m. (e.t.) March 8 to meet the registration deadline:

1. Access GMS at <https://grants.ojp.usdoj.gov>
2. If you already have a GMS user ID, proceed to GMS sign in. Even if your organization already has a user ID, **you will not be considered registered for the solicitation until you have signed on to GMS and entered the appropriate solicitation.**
3. If you do not have a GMS user ID, select "New User? Register Here." After you have completed all of the required information, be sure to click "Create Account" at the bottom of the page and to note your user ID and password, which are case sensitive. Within a few days, BJA will send an e-mail confirmation to newly registered applicants that their user ID and password have been approved and they are eligible to submit an application.
4. Beginning October 1, 2003, a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number must be included in every application for a new award or renewal of an award. The DUNS number will be required whether an applicant is submitting an application on paper, through OJP's Grants Management System, or using the governmentwide electronic portal ([Grants.gov](https://grants.gov)). **An application will not be considered complete until a valid DUNS number is provided by the applicant.**

Organizations should verify that they have a DUNS number or take the steps necessary to obtain one as soon as possible. Applicants can receive a DUNS number at **no cost** by calling the dedicated toll-free DUNS number request line at 1-800-333-0505.

5. After you have logged onto the system using your user ID and password, click on "Funding Opportunities."
6. Select the "Bureau of Justice Assistance" from the drop-down list and click "Search." This will narrow the list of solicitations within the Office of Justice Programs to those in BJA.
7. From the list of BJA grants, find "State Criminal Alien Assistance Program" and click "Apply Online."

8. Confirm that your organization is eligible to apply for this program by reading the text on the screen. If eligible, proceed by clicking “Continue.”
9. Once you have reached this point, **you are considered successfully registered** in terms of the March 8 deadline. BJA encourages you to begin this process as early as possible and complete the application well before the final March 15 deadline.

If you experience difficulties at any point in this process, please call the GMS Help Desk at 1-888-549-9901, Option 3.

Online Inmate Data Reporting Process

BJA has implemented improved inmate data validation and editing functionality for FY 2004.

Applicants may select the file upload process that best meets their needs. Additionally, applicants may change the method prior to submitting the completed application to BJA. **However**, applicants who switch from one method to another must understand that any such change will overwrite all previous inmate record submissions. The two methods available are:

Direct File Upload: The direct file upload function allows applicants to submit their inmate database records in a single ASCII formatted file directly into GMS. File uploads must contain the mandatory data fields in the required format. File uploads that do not include the necessary information will be considered incomplete and not eligible for funding under SCAAP. The SCAAP system will provide applicants with an opportunity to correct their files or add missing data prior to finalizing the application.

Direct Data Entry: The direct data entry function allows jurisdictions to manually enter inmate data directly into an online inmate data template, instead of creating a separate ASCII file. This approach may be best suited for jurisdictions with smaller facilities or small criminal alien populations. Drop-down menus are provided for selecting incarceration dates, date of birth, and country of birth (the complete country names are listed).

During the file upload process, a red flashing bar will appear at the bottom of an applicant’s screen. This bar will continue to flash until the inmate file upload is complete. Upon completion of the inmate file upload, the SCAAP GMS will provide the applicant with a file upload status report. This report will list the number of inmate records in the upload and the number of inmate records that are complete. In addition, the report will provide a detailed list of inmate records (by file number) that are incomplete or have data format errors and the nature of the error. Applicants should print this file upload status report for their records.

Applicants will receive an inmate data error report at the completion of the inmate file upload if there are problems. Accounting for these additional checks, the estimated time required for file uploads is as follows (examples only): 300 inmate records, 1 minute; 7,800 inmate records, 2 minutes; 54,600 inmate records, 15 minutes.

Inmate Data File Overwrite and Deletion

Once inmate records are uploaded into GMS via the Direct File Upload method, any subsequent upload **deletes and overwrites the previous file in its entirety.**

Example: You successfully upload the ASCII formatted file with 250 inmate records. You then determine that you have 5 more qualifying inmate records to upload. If you create a special upload file containing just the five additional records, the original group of 250 inmate records will be deleted and your jurisdiction will only be credited with 5 records. To avoid this, you must reformat your original ASCII file to include the total group of 255 inmates (250 original inmate records plus 5 new records) and perform another upload of the entire file via GMS.

Additionally, if you switch upload methods at any time, the inmate files uploaded or entered via the previous method will be overwritten and deleted.

Example: You successfully upload the ASCII formatted file with 250 inmate records. You then determine that you have 5 more qualifying inmate records to upload. You decide to use the Direct File Upload method. When you begin this new method, the original file of 250 inmates will be deleted.

Technical System Requirements

Internet access is required to participate in this program. Generally, Netscape Communicator 4.7 and Internet Explorer 5.5 are considered the earliest versions of the respective Internet browsers for successful SCAAP application system access. Contact your agency network administrator to determine if an internal firewall or agency Internet security system is preventing direct access to the application system, or contact the GMS Help Desk for information regarding correct port settings. If you are a prior SCAAP user, your browser bookmark may not work properly and your attempt to access the SCAAP application site may generate a message advising that the “Page cannot be displayed.” It is suggested that you delete the bookmark and manually type the URL into the browser address line.

Internet User Accounts

Government officials from the applying jurisdictions must establish the OJP GMS user accounts for SCAAP; nongovernment officials may not establish user accounts on behalf of applying jurisdictions. When establishing a user account, Sheriffs or Chiefs of Police are not considered CEOs, but they may serve as the contact persons establishing the SCAAP user accounts on behalf of the CEOs. All applications must be filed in the name of the state or unit of general government and must include the jurisdiction’s CEO’s name, official title, and reliable e-mail address. Applications should not list a subsidiary agency as the jurisdiction (e.g., County Sheriff’s Department, Department of Corrections, etc.)

Application Resubmissions

BJA may return a submitted application with incomplete or inaccurate data to the applicant for corrections. If BJA exercises this option, it will notify both the CEO and the program contact, via the e-mail address of record, that their application needs to be corrected and resubmitted. Corrections must be made and the application resubmitted to BJA no later than the date provided by BJA. Failure to resubmit the application by that date may result in its disapproval.

Inmate Reporting Requirements

Inmate Citizenship and Country of Birth

The DHS Bureau of Immigration and Customs Enforcement (ICE) is vested with the authority to determine the citizenship status of undocumented criminal aliens. In preparing the inmate data files of persons otherwise meeting the eligibility criteria for SCAAP, jurisdictions may submit the name of any criminal alien that otherwise has not been vetted by ICE and determined to be an undocumented alien, if a jurisdiction utilized available resources to ascertain the accuracy and reliability of all required SCAAP data elements, including the inmate's name, date of birth, and foreign country of birth. Jurisdictions shall use due diligence to determine the accuracy of the inmate data files and related claims submitted to BJA, and they shall not submit an inmate record if the jurisdiction knows or has reason to know that the information is false or that the inmate does not qualify as an undocumented criminal alien. Sanctions, including referral to a U.S. Attorney's Office, recalculation and/or return of awarded funds, or other sanctions, may be made when a jurisdiction knowingly submits false data or makes claims for ineligible inmates.

Jurisdictions shall not submit inmate records for an otherwise qualifying inmate where: (1) the jurisdiction's records indicate the inmate is not an undocumented alien (i.e., the inmate is in the United States legally, is a U.S. citizen, etc.), or (2) the jurisdiction's records indicate the inmate was born in the United States (i.e., born in one of the 50 states, the District of Columbia, Guam, Puerto Rico, or the U.S. Virgin Islands).

Undocumented Criminal Aliens

Undocumented criminal aliens are generally persons who entered the United States illegally, are subject to deportation proceedings, or were granted nonimmigrant status that has since expired. Technical eligibility questions about immigration matters should be referred to your local DHS officials. To be eligible, an undocumented criminal alien must be convicted of at least one felony or two misdemeanors for violations of state or local law, and he or she must be incarcerated in a state or local correctional facility (including contract facilities) for at least 4 consecutive days during the applicable reporting period.

Qualifying Criminal Charges and Convictions

If a person in state or local custody is considered an undocumented (illegal) alien and imprisoned for at least 4 consecutive days during the reporting period, applicant jurisdictions may count all inmate days attributed to this person during the reporting period under the following circumstances:

1. The offender is convicted of a qualifying felony or a second misdemeanor. In this case, the jurisdiction may count both the jail or prison time and any pretrial detention time leading up to the conviction.
2. The offender has ever been convicted of a qualifying felony or two misdemeanors in his or her past. In this case, all future pretrial detention and prison or jail time may be counted, regardless of the nature of the new charge.

Qualifying offenses are violations of state or local law. Violations of federal law are excluded.

Minimum Period of Incarceration

Eligible undocumented criminal aliens that were incarcerated **for at least 4 consecutive days** between July 1, 2002 and June 30, 2003 may be included in this year's application. The 72-hour rule no longer applies.

Example: An inmate's incarceration began just before midnight on Sunday, May 5 and ended at 6:00 a.m., on Wednesday, May 8. This inmate was only in custody for 54 hours, but is SCAAP eligible because he was in custody **for at least 4 consecutive days**, regardless of the total hours of incarceration.

A cautionary note: The online GMS application system will reject any inmate record that does not reflect a minimum of 4 consecutive days of incarceration or detention.

Total All Inmate Days

"Total all inmate days" is the cumulative number of incarceration or detention days attributable to each and every inmate housed in the jurisdiction's facility(ies) during the reporting period. It includes all inmates, regardless of their status, citizenship, disposition, or length of stay. It does not refer to either the total capacity of the facility or to the total number of days only attributable to undocumented criminal aliens.

Example: The jurisdiction detained or incarcerated 400 inmates during the reporting period. Each inmate was held for exactly 4 days. The Total All Inmate Days for this jurisdiction is 1,600 days (400 inmates x 4 days each).

Incarceration Period That Began or Ended Outside the FY 2004 Reporting Period

If a qualified inmate was taken into custody prior to July 1, 2002, jurisdictions may use the actual date taken into custody or July 1, 2002 as the "Date Incarcerated." Only periods of 4 or more consecutive days on or after July 1, 2002 are eligible for funding consideration.

A specific release date must be provided, even when the inmate is still in custody after the reporting period. The system automatically adjusts records when counting eligible days, since only those qualifying days between July 1, 2002 and June 30, 2003 are eligible for funding consideration.

If an inmate was released after June 30, 2003, jurisdictions may use the actual date of release or June 30, 2003 as the "Date Released." If an inmate is still incarcerated when the GMS inmate data file is uploaded, applicants may use either June 30, 2003 or an arbitrarily assigned date between June 30 and the **day prior** to the GMS file upload.

Required Inmate Data Format

The most important portion of the online application is the detailed inmate file that reflects the jurisdiction's good faith, due diligence efforts to identify and list undocumented criminal aliens housed in their correctional facilities. The application cannot be vetted properly or approved without having inmate records in the proper ASCII (text) data format. Required inmate data elements include the INS A-Number, if known; last, middle, and first names; date of birth; unique inmate number assigned by the applicant jurisdiction; foreign country of birth; date taken into custody; date released from custody; and FBI number, if known.

Inmates with aliases or multiple periods of incarceration: Creating a separate and distinct inmate record for each qualifying period of incarceration may include eligible inmates incarcerated more than once during the reporting period. Similarly, inmates with known aliases may be reported by creating a separate and distinct inmate record for each name. The **same unique inmate identification number** must be used for all records associated with one inmate.

ICE Country of Birth Codes

The United States and certain U.S. territories are no longer on the official ICE country codes list. Generally, a person born in the United States or a U.S. territory is a U.S. citizen and should not be reported. Any submitted inmate record that includes a country code not on the official ICE country code list will be rejected.

BJA recognizes that the official names of countries are subject to change. If the country provided by the inmate is not on the official list, the applicant should select the country with the closest political boundaries to the one named by the inmate.

Alternatives to Traditional Incarceration

Inmates are not eligible if they served their incarceration incrementally, such as through weekend incarcerations that enabled them to maintain employment. Qualifying periods of incarceration must occur consecutively, over the course of 4 or more days not cumulatively over the course of several weekends. Inmates sentenced to nonincarceration alternatives (e.g., home detention, house arrest, day reporting, supervised release, etc.) are also not eligible. Eligible inmates must be confined overnight in state or local jails or correctional facilities.

Parole Violators

Undocumented criminal aliens on parole from qualifying convictions who are subsequently returned to the custody of a state or local correctional facility are eligible, regardless of the reasons for the parole violation or revocation. Any incarceration time of 4 or more consecutive days during the reporting period resulting from parole revocations may be reported for qualifying persons.

Facility and Correctional Officer Reporting Requirements

Correctional Officer Definition

Correctional officers include employees, officers, and contractual staff whose primary responsibility is the care, custody, or supervision of persons detained (pretrial detention) and incarcerated (convicted and sentenced inmates). This includes correctional officers, deputy sheriffs, correctional/jail supervisors, shift commanders, chiefs of security, assistant wardens, and wardens. Transportation officers and others providing care, custody, or supervision of inmates who are temporarily outside the maintaining facility (e.g., for work crews, judicial proceedings, medical appointments, etc.) are also eligible.

Employees, officers, and contractual staff whose primary responsibility is providing noncustody services to the facility or its inmate population are not eligible for inclusion in the SCAAP salary calculation. This includes office and secretarial support, administrative, housekeeping, maintenance, food, health, education, training, vocation, counseling, and medical staff.

Staff who may function independently or outside the correctional facility, including parole and probation agents, hearing officers, court commissioners, judicial, prosecutorial, and public defenders, warrant and apprehension units, and others, are similarly not eligible for inclusion in the SCAAP salary calculation.

Correctional Officer Salary Calculation

Salary information reported in the SCAAP application must reflect the total salaries and wages paid to full- and part-time correctional officers and others who meet the SCAAP definition. The reported sum should total the jurisdiction's actual salary expenditures for the applicable reporting period, not a projection, estimate, or average. Correctional officer salary costs may include premium pay for specialized service (e.g., bilingual officers), shift differential pay, and fixed-pay increases for time in service.

Excluded and prohibited costs include employee benefits and overtime, except where overtime is required by negotiated contract, statute, or regulation (e.g., union agreements, contractual obligations, required post staffing minimums, etc). OMB Circular A-87 (www.whitehouse.gov/omb/circulars/a087/toc.html) provides general guidance on how benefits are defined for units of general government.

Per Diem Costs

Per diem cost is derived by dividing the jurisdiction's Total All Inmate Days into the Total Correctional Officer Salary Costs. During the FY 2003 reporting period, jurisdictions reported an average per diem cost of \$23.50. Jurisdictions should ensure that their per diem costs are not excessive. BJA may require applicants to recalculate or limit excessive per diem costs.

Award Process

SCAAP Award Calculation

Awards will be determined once the FY 2004 SCAAP application period closes and all data has been vetted by ICE. Applicants will receive e-mail notifications that awards are ready for online acceptance and drawdown. Formal acceptance of an award via GMS is necessary for the electronic transfer of funds into the applicant's bank account of record, as established or verified through the online registration process. **This year, applicants will have 45 calendar days to accept awards through GMS once notice is provided.** See the *Office of Justice Programs Financial Guide* (www.ojp.usdoj.gov/FinGuide/), Part II, Chapter 2, page 22 (requiring acceptance/drawdown of awards with 45 days of notice of award) and Part IV, Chapter 2, § 16.606 State Criminal Alien Assistance Program (SCAAP) (requiring an "expeditious draw-down of payments"). Issues related to the electronic transfer of funds or the bank account of record must be referred to the OC Customer Service Center at 1-800-458-0786.

Use of Awarded Funds

Awarded funds are not restricted and may be used by the jurisdiction for any purpose not prohibited by federal law. For this reason, jurisdictions receiving SCAAP awards are not required to submit financial or progress reports to BJA.

FY 2004 Payment Formula

The FY 2004 payment formula has not been finalized and is subject to change at any time prior to award generation. For illustration purposes, the following represents the method used in FY 2003 to calculate payments:

1. Using financial data the applicants supplied via the online GMS system, a per diem rate is calculated for each jurisdiction. Specifically, a rate is determined using each applicant's annual correctional officer salary costs and the total number of all inmate days (i.e., the total number of days all inmates were held by the applicant jurisdiction, regardless of citizenship status). For FY 2003, the average per diem rate was \$23.50 per inmate.
2. ICE analyzes the inmate records and provides BJA with a data report that delineates each applicant's number of eligible, unknown, ineligible, and invalid inmates, and each category's respective number of inmate days.
3. Each jurisdiction's total eligible inmate days and a percentage of the unknown days are totaled. That total is then multiplied by the applicant's per diem rate to derive the total correctional officer salary costs for eligible and unknown inmate days for the reporting period. The percentage used for unknown days is determined by a sliding scale, developed by ICE, which gives credit to jurisdictions, by type. The 2003 scale credits cities 60 percent, states 65 percent, and counties 80 percent of their total unknown inmate days.
4. The value of each applicant's correctional officer salary costs associated with its eligible and credited unknown inmate days are then totaled. This total value reflects the maximum amount

subject to reimbursement by BJA for the reporting period. A percentage factor is then used to reflect the relationship between the maximum reimbursable salary costs and the program's annual appropriation. For FY 2003, this factor was approximately 36 percent. Essentially, each jurisdiction's award was 36 percent of its total salary cost for eligible and credited unknown inmate days.

The payment formula calculation process occurs only one time, using all of the data provided by all participating jurisdictions, the annual appropriation, and ICE data vetting results. If a jurisdiction discovers errors or problems with its data after the awards are calculated (e.g., through an outside audit), the systemwide factor (i.e., 36 percent) remains unchanged and any required future adjustments to a payment amount will use this factor.

This initial calculation process occurs only one time, using all of the data provided by each participating jurisdiction. If a jurisdiction submits changes to BJA after the initial payment is made, the systemwide factor (e.g., 36) remains unchanged and any required future adjustment to a payment amount utilizes the original factor.

In general, a wide variance will exist between the total amount of salary costs reported by jurisdictions and the final SCAAP payment amount. This variance is due to adjustments for unknown, ineligible, or invalid inmate records combined with appropriation levels that normally cover only a portion of the total salary costs associated with verified undocumented criminal aliens.

Example of a Jurisdiction's Payment Calculation for FY 2003 SCAAP:

Jurisdiction's Total Salary Costs: \$4,407,099.00

Jurisdiction's Total Number of All Inmate Days: 200,385

Jurisdiction's Per Diem Cost Per Inmate (Total Salary/Total Inmate Days): \$21.99

Per Diem Cost Per Inmate: \$21.99

Total Illegal Inmate Days (Per ICE): 13,853 (combines eligible and percent of unknown days)

Salary Costs for Illegal Inmate Days (Per Diem x Illegal Days): \$304,627

Salary Costs for Illegal Inmate Days ONLY: \$304,627

FY 2003 SCAAP Payment Ratio (varies each year): 36 percent

SCAAP Payment Amount: \$109,665

Other OJP Requirements

Confidentiality and Human Subjects Protection

U.S. Department of Justice regulations (28 C.F.R. Part 22) require applicants for BJA funding to submit a Privacy Certificate as a condition of approval of any grant application or contract proposal that contains a research or statistical component under which personally identifiable information will be collected. In addition to the regulations in Part 22, regulations concerning protection of human subjects are set forth in 28 C.F.R. Part 46. In general, 28 C.F.R. Part 46 requires that all research involving human subjects conducted or supported by a federal department or agency be reviewed and approved by an Institutional Review Board before funds are expended for that research.

General information regarding Confidentiality and Human Subjects Protection (www.ojp.usdoj.gov/nij/humansubjects) can be found on the National Institute of Justice web site. Sample formats of the Privacy Certificate, Transfer Agreement, and Single Project Assurance for submission to BJA can be found on the OJP web site (www.ojp.usdoj.gov/forms.htm).

Sources for Further Information

GMS/Technical Phone Support (toll-free)

Technical support is available, Monday through Friday, from 7:00 a.m. to 9:00 p.m. e.t., via the GMS Help Desk at 1-888-549-9901, Option 3.

Financial/Banking/Vendor Support (toll-free)

Call the OC Customer Service Center at 1-800-458-0786.

DUNS Number (toll-free)

1-866-705-5711

E-mail Inquiries

Program and Policy Issues: SCAAP@ojp.usdoj.gov

GMS/Technical Issues: GMSHelp@ojp.usdoj.gov

Financial/Banking/Vendor Issues: AskOC@ojp.usdoj.gov

Written Inquiries

Robert Watkins, Program Manager

Payments and Benefits Division

Bureau of Justice Assistance

810 7th Street NW.

Washington, DC 20531

Internet-Based Information

www.ojp.usdoj.gov/BJA/grant/scaap.html

Non-SCAAP, General BJA, and OJP Grant Information

Contact the BJA Clearinghouse at 1-800-851-3420